

The Rural Retreat Town Council held a regular meeting on May 8, 2012, at 7:00 p.m. in the Rural Retreat Town Hall Council Chambers.

**PRESENT RURAL RETREAT TOWN COUNCIL MEMBERS**

Mayor Timothy Litz; Ed Schaack; J. Scott Mecimore; Dale Yontz; Jerrell Hall; Peggy Hash

**ABSENT**

Vice-Mayor A. Keith Crigger

**ADMINISTRATION PRESENT**

Michael James, Town Manager; Lori Guynn, Clerk/Treasurer; Scott Mitchell, Police Chief

**ADMINISTRATION ABSENT**

NONE

**OTHERS PRESENT**

Marcel Legare; Rev. Brian Burch – Rural Retreat United Methodist Church

**DETERMINATION OF A QUORUM**

Mayor Litz called the meeting to order and determined a quorum was present.

**INVOCATION**

The invocation was given by Rev. Brian Burch.

**PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was led by Mayor Litz.

**APPROVAL OF MINUTES**

A motion was made by Councilmember Yontz, seconded by Councilmember Hash to approve the minutes of the April 24, 2012 regular meeting. There being no discussion, the motion passed by a vote of five (5) for: Hall, Hash, Mecimore, Schaack, Yontz; zero (0) against; one (1) absent: Crigger.

**CITIZEN'S TIME**

NONE

## **COUNCIL MEETING MINUTES – MAY 8, 2012 – PAGE 2**

### **CORRESPONDENCE**

Town Manager read a thank you card from Linda Reasor on behalf of the Rural Retreat High School After-Prom Committee thanking the Council for their monetary donation and support of this year's event.

Town Manager James also explained he had received a request from Dr. Tommy Malavolti with Blue Ridge Chiropractic for the town to sanction a trail run to be held at the Rural Retreat Lake as a fundraiser for the Heritage Days Festival. Councilmember Yontz made a motion to sanction the trail run at Rural Retreat Lake. The motion was seconded by Councilmember Hall and passed by a vote of five (5) for: Hall, Hash, Mecimore, Schaack, Yontz; zero (0) against; one (1) absent: Crigger.

Councilmember Yontz addressed an email he had received from Burton and Lisa Martin concerning a burning issue at the former Hiland Drive-In Theater that is now Hiland Nursery. In the email, Mr. Martin explained he resides on Briarwood Lane and expressed his concern about the constant brush burning that is taking place after 5:00 p.m. in a residential area. He pointed out the smoke prohibits he and his wife from opening their windows or enjoying outdoor activities. Mr. Burton inquired as to what the town could possibly do to limit the burning or establish a schedule so residents in their neighborhood can enjoy being outdoors. He also stated they encountered the same issue last summer. Chief Mitchell commented that when he lived in the area he noticed someone was burning most evenings and he had also received complaints from neighbors. He added based on our ordinances there is not much that can be done. Councilmember Mecimore suggested asking the Hiland Nursery owners to only burn one night per week. Town Manager James asked Chief Mitchell to speak to the property owners at Hiland Nursery. Mayor Litz asked Councilmember Yontz to forward the Burton's email to Town Manager James.

Town Manager James informed the Council the bushes on East Baumgardner Avenue that were covering a portion of the sidewalk have been removed and the area looks much better. Mayor Litz thanked Town Manager James for resolving this issue at a citizen's request.

### **POLICE REPORT**

Chief Mitchell explained his monthly activity report for April. He pointed out the number of miscellaneous activities had decreased but the number criminal activities had increased. Chief Mitchell also explained he has been running radar on Sherwood Avenue and has been told by two of the citizens that had previously attended a meeting to make a complaint about speeders that drivers are now going slower. Chief Mitchell also stated he had spoken to Sheriff King about the upcoming concert series. Sheriff King will not be dedicating a deputy for the event but will have one patrolling in the area if assistance is needed. Mayor Litz commented he did not anticipate there being any problems.

## **COUNCIL MEETING MINUTES – MAY 8, 2012 – PAGE 3**

### **UNFINISHED BUSINESS**

Councilmember Hash readdressed the town newsletter that the Council had previously discussed. She stated she thought this would be a great way for the town's citizens to find out what is going on around town and could be published twice per year. Councilmember Hash explained she has some ideas for the newsletter but would need help with the set up. Town Manager James stated Councilmember Yontz has previously spoken to him about a newsletter. He also explained that generally newsletters are on a quarterly release. Discussion then ensued on distribution of the newsletter whether it should be mailed through the USPS or electronically.

### **NEW BUSINESS**

Councilmember Mecimore addressed the Council on behalf of the Rural Retreat Depot Foundation. He explained the Foundation is planning a concert on June 16<sup>th</sup> and would like permission from the Town Council to use the Pepper Stage and for the event to be sanctioned by the town. The concert will be held from approximately 5 p.m. to 10 p.m. and will feature heavy metal bands. Councilmember Yontz recommended asking the emergency services to set up their crash truck to provide lighting when the concert is over to enable attendees to leave safely. Councilmember Hash made a motion to sanction the concert on June 16<sup>th</sup> for the Rural Retreat Depot Foundation as a town event and allow the concert to be held at the Pepper Stage. The motion was seconded by Councilmember Yontz and passed by a vote of four (4) for: Hall, Hash, Schaack, Yontz; zero (0) against; one (1) abstention: Mecimore due to being a member of the Rural Retreat Depot Foundation; one absent: Crigger.

Councilmember Mecimore also stated had spoken to Town Manager James earlier in the day regarding the lease for the depot property. He stated he wanted to make the Council aware that over the next few months there will be some things coming up regarding the depot. Town Manager James addressed the lease for the depot property and explained the lease can remain the same because the Foundation and the town will replace the previous parties being Shenandoah Designs and Norfolk Southern in the new lease.

Councilmember Yontz expressed his concern about events being held at the Dr. Pepper Stage and the community thinking the event is being sponsored by Dr. Pepper when they are not. He stated the posters for the events will state the location as the Dr. Pepper Stage. Councilmember Mecimore commented the poster for the Rural Retreat Depot Foundation concert will state it is being sponsored by the Foundation. Councilmember Yontz added he wanted to make sure the concert series was not misconceived as being sponsored by Dr. Pepper. Clerk/Treasurer Guynn explained the stage was named the Pepper Stage and if that is used as the location then there should not be any confusion about Dr. Pepper being involved. She also added the other events are being sponsored by the Town or the Depot Foundation. Mayor Litz suggested the Dr. Pepper logo not be on the advertisements for events that are not sponsored by Dr. Pepper. He also concurred with Clerk/Treasurer Guynn's comments.

## **COUNCIL MEETING MINUTES – MAY 8, 2012 – PAGE 4**

### **COMMITTEE REPORTS**

**FINANCE & APPROPRIATIONS** – Councilmember Schaack asked if the Finance Committee was still meeting following the Council meeting. Town Manager James responded yes. Mayor Litz asked how the budget preparations were proceeding. Town Manager James explained most of the insurance information has come in along with information from the Virginia Retirement System (VRS). He explained recent legislation now requires employees to pay the 5% employee contribution by 2016 instead of the employer paying it on their behalf which the town has been doing. Due to this change, employers are required to give the employees a pay increase to offset the contribution. The budget includes a 7% pay increase for employees, 5% for VRS contributions and 2% cost of living, Town Manager James reported. Councilmember Mecimore stated he had read an article pertaining to the Town of Abingdon and they were concerned about the new requirements because the contribution and payroll taxes would take more than the 5% raise given.

### **TOWN MANAGER’S REPORT**

The following items were discussed and/or acted upon:

**OUT-OF-TOWN WATER PROJECT DIVISION IV (WATER PLANT ELECTRICAL IMPROVEMENTS)** – Anderson & Associates are talking with HD Supply to ensure that all the information they need for their project review is provided to them. We have spoken to Sun Contracting & Developers and urged them to expedite this process as soon as possible as their contract time artificially runs out as of today. The project contract was for 90 days.

**OUT-OF-TOWN WATER PROJECT DIVISION V (CHINQUAPIN AVENUE & WEST LEE HIGHWAY)** – All work has been completed; we are continuing to exhaust all residual funds. A valve exerciser has been purchased. The maintenance staff is still working on reconnections, weather and time permitting.

**IN-TOWN WATER PROJECT** – CrossPointe Contractors, Inc. has completed the additional work. With additional funds available we replaced two fire hydrants in our system which the contractor installed. We are still anticipating repaving Jefferson Avenue in the next few weeks.

**TEA-21 PHASE VII SIDEWALK IMPROVEMENT PROJECT** – Easement acquisition is ongoing for the project. Anderson & Associates are sending final design plans to VDOT in the coming days. I will be meeting with APCO tomorrow morning to coordinate all pole relocations prior to construction.

**BUDGET PREPARATION** – The preliminary budget is near completion and is currently being reviewed by the Finance Committee. Another meeting will be held next week with the draft being distributed to the Council prior to the next regular meeting.

**SHERWOOD AVENUE** – We are continuing to pursue signage on Sherwood Avenue and are working with VDOT to coordinate these improvements.

## **COUNCIL MEETING MINUTES – MAY 8, 2012 – PAGE 5**

**RURAL RETREAT SUMMER CONCERT SERIES** – This Friday will be the first show of our concert series; we are excited about the potential of this event. Please help spread the word. Councilmember Mecimore inquired about the start time. Town Manager James responded the concerts will begin at 7 p.m. Councilmember Hash asked what is being done to advertise. Town Manager James explained flyers have been printed and are being distributed and Jim Lloyd has had an article placed in the newspaper.

**2012 CDBG PLANNING GRANT; RURAL RETREAT BUSINESS DISTRICT REVITALIZATION** – This past week we were notified that the Town of Rural Retreat was awarded \$3,000 in reimbursable funds to revisit our Downtown Master Plan. These funds were awarded with a June 30, 2010 deadline. During the next two months we will hold public meetings, conduct business and property surveys, along with putting together a management team to assist through this planning process. We will work closely with the Mount Rogers Planning District Commission, throughout this process. We are excited about the potential of this project and look forward to receiving a favorable response for DHCD upon our completion of the required action. Mr. James added he hopes to use the old document and build upon it.

**APCO RATE CHANGES** – As you may be aware Appalachian Power has petitioned the Virginia State Corporation Commission to raise their rates across the state. They are asking to raise its fuel factor as allowed under state statute 56-249.6 of the Code of Virginia. These rate adjustments do not directly pertain to local governments as our rates will be negotiated through the VML/VACO/APCO Steering Committee. The committee has contracted with a legal firm from Atlanta, GA to negotiate a rate adjustment between APCO and Virginia local governments. Staff will remain in close contact with the Steering Committee and obtain final rate information which will affect our budget predictions.

**BOARD OF ZONING APPEALS** – The Rural Retreat Board of Zoning Appeals will meet May 17<sup>th</sup> at 7 p.m. at the Rural Retreat Town Hall to hear a request for zoning variance from Mrs. Lucille Rich. Mrs. Rich is requesting a variance for lot size and rear yard setback requirements in an R-1 district. All abutting property owners and board members have been notified and briefed on the details of the variance request. This will be a public hearing as well, all interested citizens have been encouraged to attend and voice their opinions on the variance.

**EMERGENCY WATER INTERCONNECT AGREEMENT** – Town Manager James asked the Council to review the proposed agreement and bring comments or questions to the next meeting. He pointed out a rate has not been agreed upon with Wythe County. Mayor Litz stated Rural Development requires a 40 year agreement. Councilmember Hall asked if one of the concerns with the interconnect was the possibility of hampering the town's ability to get future funding to expand our water facility. Town Manager James explained initially the original agreement did not specify an emergency connection. Upon speaking with Rural Development and the Virginia Department of Health he was told if the agreement is for emergency use only then the town would not be considered a customer. Mayor Litz stated emergency and use are the key words and we will not have a monthly charge.

**COUNCIL MEETING MINUTES – MAY 8, 2012 – PAGE 6**

**TREASURER’S REPORT**

The bills for May 8, 2012 were read and approved.

**TALK OF THE TOWN**

Town Manager James is to attend the *Talk of the Town* radio program at the WYVE/WXBX radio station on Wednesday morning.

**ADJOURNMENT**

There being no additional business for discussion, the meeting was adjourned upon a motion by Councilmember Hall. The motion was duly seconded and approved unanimously.

---

Mayor

---

Clerk